

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 99-559V

Filed: September 26, 2008

NOT TO BE PUBLISHED

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MICHAEL LOIZZI,

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Petitioner,

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Attorneys' Fees and Costs

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v.

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SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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### DECISION<sup>1</sup>

**GOLKIEWICZ, Chief Special Master.**

Petitioner filed an Unopposed Application for Attorneys' Fees and Costs on September 25, 2008. Petitioner's counsel averred in her application respondent's counsel had reviewed petitioner's draft application and had certain objections to petitioner's request for fees and costs. Petitioner's counsel agreed to reduce her request to a total of **\$63, 000.00** in attorney's fees and costs, and **\$2,971.47** in costs to petitioner and his parents. Respondent's counsel indicated she had no objection to petitioner's reduced request for attorney's fees and other litigation costs.

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<sup>1</sup>The undersigned intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire" decision will be available to the public. Id.

After reviewing the request, the court awards **\$65, 971.47** in attorney's fees and other litigation costs, of which, **\$63,00.00** shall be made payable jointly to petitioner and petitioner's law firm Maglio Christopher & Toale. The remaining **\$2,971.47** shall be made payable to petitioner, Michael Loizzi, and his parents, Carl and Toni Loizzi. The court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**

s/ Gary J. Golkiewicz  
Gary J. Golkiewicz  
Chief Special Master

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<sup>2</sup>Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.